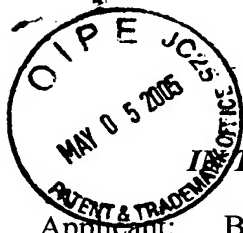


1638/14



Atty. Dkt. No. 065691-0262

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bertrand DUBREUCQ et al.
Title: Promoter Which Allows Transgene
Expression in the Entire Plant
Except the Seed
Appl. No.: 10/009,340
Filing Date: 12/10/2001
Examiner: David T. Fox
Art Unit: 1638

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed February 10, 2005, Applicants hereby provisionally elect Group I, Claims 1-6, for examination, with traverse. Applicants traverse the restriction requirement on the grounds that the claims do possess unity of invention and there is no undue burden to search all of the claims.

Applicants await the first Office Action on the merits of the application.

Respectfully submitted,

Date May 5, 2005

By Matthew E. Mulkeen

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